REMARKS

As a preliminary matter, Applicant has amended independent claim 1 to incorporate in the base claim subject matter from dependent claims 3 and 4. Applicant therefore submits that no new issues have been raised by incorporating this subject matter that has already been presented to the Examiner for consideration. The claims have otherwise only been amended for grammatical consistency. Entry and consideration of the amended claims is therefore proper after final rejection.

Claims 1-5 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants respectfully traverse as follows.

With respect to claim 1, Applicant submits that "the layer" from line 5 clearly refers to "a magnetizable layer" of line 3. The magnetizable layer is the only "layer" recited in the claim that could provide any proper antecedent basis for "the (or 'said') layer" at the end of the claim. Given that no other "layer" is recited in the claim, the reference is clear, and this Section 112 rejection is respectfully traversed.

With respect to the cited text from claim 2 and 3 of the present invention, Applicant submits that all the cited language is proper and correct. Applicant wishes to point out to the Examiner that each of these cited textural portions from the claims occurs immediately following a "wherein" clause, which is a modifying clause, and need not be phrased as "positively active method steps." It is a well-known and acceptable practice of

patent claim drafting to include "wherein" clauses in method claims. Accordingly, reconsideration and withdrawal of this Section 112 rejection are also respectfully requested.

Claims 1-2 again stand rejected under 35 U.S.C. 102(e) as being anticipated by Applicant's Admitted Prior Art ("AAPA"). Applicant respectfully traverses this rejection for the reasons of record, and as follows. First, claim 1 now incorporates subject matter from claims 3 and 4, which have not been rejected under Section 102. This Section 102 rejection has been rendered moot for at least this reason. Applicant further traverses because the cited reference does not disclose (or suggest) that a substrate wafer having a thickness greater than the length of a head slider is cut into a plurality of raw bars, or that air bearing surface patterns can be formed by photolithography.

Applicant maintains and incorporates by reference herein those arguments previously advanced on pages 4 through 8 of Amendment A, filed November 6, 2002. Applicant respectfully requests that the Examiner reconsider those arguments, and withdraw this Section 102 rejection, as well as the Section 103 rejection discussed below. Additionally, Applicant respectfully requests that the Examiner consider the following new arguments, and expansions upon the previous arguments.

Applicant did not argue that the AAPA does not teach "the wafer having a thickness greater than the length of the head slider" in Amendment A, as asserted by the Examiner on page 3 of Paper No. 12. In this assertion, the Examiner has neglected to include critical language from Applicant's argument. Namely, Applicant previously argued that the

AAPA does not teach that a wafer, having a thickness greater than the length of a head slider, is cut into at least one raw bar. By ignoring this important language from Applicant's previous remarks, the Examiner inappropriately and significantly changed the entire meaning of the argument.

The AAPA clearly teaches that, when a thickness of the wafer is greater then the length of the slider, a face of the wafer is abraded to make the thickness of the wafer equal to the length of the slider before cutting the wafer into raw bars. (See page 1, paragraph 3 of the Specification of the present Application). In other words, it is not the relative dimensions of the wafer that is featured as distinct in the present invention, but the relative dimensions of the wafer when it is cut that distinguishes the present invention from the prior art. Applicant respectfully requests that the Examiner re-read the entire claim language of claim 1, as well as the actual arguments presented by Applicant in Amendment A, and withdraw the rejection.

Moreover, Applicant further wishes to point out to the Examiner that "the step of abrasion before cutting" was never relied upon as a feature of Applicants invention, as also asserted by the Examiner on page 3 of Paper No. 12. In fact, a clear reading of the Specification to the present Application, as well as Applicant's arguments in Amendment A, shows that the step of abrasion before cutting is a required step *of the AAPA*, and not a part of the present invention. This step is a necessary element of the AAPA, which is not recited in

the present invention, and therefore renders the present invention distinguishable over the AAPA under Section 102.

Applicant submits that claim 1 clearly features that a wafer having a thickness greater than the slider length is cut into at least one raw bar, whereas the AAPA clearly discloses that a wafer is not cut into at least one raw bar until after the wafer thickness is at least made equal to the slider length. Therefore, the AAPA only teaches that it is a wafer having a thickness at most equal to slider length which is cut into raw bars. Accordingly, the Section 102 rejection based on the AAPA is again respectfully traversed.

Additionally, Applicant respectfully traversed the rejection of independent claim 1 because the AAPA does not teach that air bearing surface patterns can be formed by photolithography, as asserted by the Examiner on page 5 of Paper No. 10. In fact, the AAPA teaches just the opposite. The Examiner has cited lines 10-13 from page 2 of the Specification to the present Application as support for teaching photolithography to form the air bearing surface faces. However, a clear reading of this portion of the cited text shows that, according to the prior art method discussed, "treatment of the ABS [air bearing surface] faces, e.g., *photolithography*, cannot be executed precisely." (Emphasis added). Accordingly, not only does the AAPA here fail to teach the claimed feature of the present invention (now part of claim 1), the AAPA here actually teaches away from the present invention by teaching that the claimed feature cannot be performed.

These assertions by the Examiner were originally made in a rejection based on obviousness. A rejection based on obviousness, however, cannot be properly maintained where one or more of the cited prior art references teaches away from the present invention. Because these features of the present invention, which were then rejected by the Examiner on this basis, are now incorporated into independent claim 1, Applicant submits that both rejections under Sections 102 and 103 are inappropriate, and should be withdrawn.

Claims 3-5 again stand rejected under 35 U.S.C. 103(a) as being unpatentable over the AAPA in view of the NGK reference (JP 8-90407). Applicant again respectfully traverses this rejection for the reasons of record, and as discussed above. Applicant further traverses because the NGK reference similarly fails to teach or suggest that a wafer is cut into raw bars while the wafer thickness is still greater than the length of the head slider. Because neither of these cited prior art references teaches that a wafer may be cut into raw bars while its thickness is still greater than the length of the head slider, or that air bearing surface patterns can be formed by photolithography, this Section 103 rejection is again respectfully traversed, and should be withdrawn.

Applicant further traverses the rejection based on obviousness because the present invention realizes significant advantages over both cited prior art references taken individually, or in combination. According to the present invention, a thick wafer can be treated without experiencing the deformation experienced as a result of the cited prior art methods (which cannot treat a thick wafer as in the present invention). By avoiding this

deformation, air bearing surface patterns can be precisely formed, which cannot be done in the prior art. Moreover, by arranging the dummy sections in a single direction and forming the air bearing surface patterns by photolithography, photolithography lights can be more easily irradiated onto the raw bars, thus allowing the air bearing surface patterns to be easily formed on minute sliders. Because the present invention is able to realize these significant advantages over the prior art, a rejection based on obviousness is further inappropriate for these additional reasons.

Because claim 1 of the present invention now includes subject matter which was previously considered from claims 3 and 4, Applicant respectfully submits that this discussion is equally applicable to a potential Section 103 rejection of amended independent claim 1.

With respect to claim 6 of the present invention, the Examiner has again failed to establish how the examination of this one additional claim, which includes many features similar to the five elected claims, will establish a serious burden upon the Examiner. Applicant wishes to point out that "any additional burden" is not necessarily equivalent to a "serious burden." It is the Examiner's duty to establish not only that an examination of one short additional claim may create an additional burden on the Examiner, but also that such an additional burden is a serious burden. Because no such serious burden is imposed upon the Examiner for the additional examination of claim 6 only, the outstanding restriction requirement is again respectfully traversed.

For all of the foregoing reasons, Applicant submits that this Application, including claims 1-6, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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April 29, 2003

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